

# EXHIBIT 1

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

GEORGE MOORE and VIRGINIA ) CASE NO.  
CARTER, et al. on behalf of ) 4:18-cv-01962-SEP  
themselves and all others )  
similarly situated, )  
Plaintiffs, )  
v. )  
COMPASS GROUP USA, INC., D/B/A )  
CANTEEN, )  
Defendant. )  
\_\_\_\_\_ )

VIDEOCONFERENCE DEPOSITION OF MARTHA MORGAN  
VOLUME III  
Minneapolis, Minnesota  
Wednesday, June 28, 2023

Reported via Zoom by: Jennifer K. Abe, CSR No. 10753  
Certified Shorthand Reporter

1       said there was not a sticker, and I verified by looking  
2       at the photograph and, in fact, the photograph showed,  
3       yes, there was a sticker displayed.

4           Q       So for these kinds of discrepancies -- and,  
5       again, I'll highlight 391 and 392 for you where we have  
6       the cash discount sticker first showing that it was there  
7       and then it wasn't -- the only way to figure out which of  
8       these two is accurate is by looking at the photographs;  
9       is that correct?

10           MS. MUELLER:  Objection; form.

11           THE WITNESS:  It doesn't mean that actually the  
12       "no" is wrong.  What I'm --

13       BY MR. PARTAIN:

14           Q       Ma'am, I'm not suggesting I know or that you  
15       know.

16           All I'm asking is:  Would you agree with me that  
17       the only way to figure out if it's actually a "no" or  
18       actually a "yes" is by looking at the photographs?

19           A       Yes.

20           MS. MUELLER:  Please let Ms. Morgan finish her  
21       statement before you start your next question.

22       BY MR. PARTAIN:

23           Q       So these photographs, ma'am, they are still  
24       maintained in the Compass database; is that right?

25           A       Yes.

1           Q     And then we're going to get to this in your  
2     declaration in a minute.

3                     But you're actually able to go in and pull up  
4     the photographs and visualize them yourself; is that  
5     right?

6           A     Yes.

7           Q     Is there any other way that you can think of  
8     when we have an example like this where we have  
9     conflicting survey data to determine whether, in fact, a  
10    machine had an appropriate labeling, other than looking  
11    at the photographs?

12                    MS. MUELLER:  Objection; form.

13                    THE WITNESS:  Not stated the way you've stated  
14    it.  Because, again, we don't know if that "no" or "yes"  
15    is correct unless we look at the photographs, but the

16   second place that I also validated that information is,  
17   was it, in fact, generating two-tier revenue on that  
18   later survey date.

19   BY MR. PARTAIN:

20           Q     That actually brings me to sort of a larger  
21    question.

22                    But with respect to all the data, all the survey  
23    data, have you or anyone gone through and done any sort  
24    of a randomized audit using the pictures to determine  
25    what error rate you have based on what the pictures show

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CERTIFICATION

OF

CERTIFIED SHORTHAND REPORTER

I, the undersigned, a Certified Shorthand Reporter of the State of California do hereby certify:

That the foregoing proceedings were taken before me at the time and place herein set forth; that any witnesses in the foregoing proceedings, prior to testifying, were placed under oath; that a verbatim record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction; further, that the foregoing is an accurate transcription thereof.

I further certify that I am neither financially interested in the action nor a relative or employee of any attorney of any of the parties.

IN WITNESS WHEREOF, I have this date subscribed my name.

Dated: July 17, 2023



Jennifer K. Abe

CSR No. 10753